



Delaware Economic Development Authority

Delaware Strategic Fund

Brownfields Grant Application

Instructions: This application is designed to be completed electronically, then printed, signed and notarized. Please make all efforts to complete the application electronically, although it will be accepted if completed by hand. Return one original plus twelve (12) copies, including exhibits, to The Delaware Economic Development Authority, 99 Kings Highway, Dover, DE 19901, with a check in the amount of \$250.00 made payable to the "The Delaware Economic Development Authority" (non-refundable application fee). This application is not a commitment for funds, nor does it obligate the State of Delaware or any State agency to lend any form of financial assistance.

General Information

Please provide a detailed description of the project to support the Authority to determine that the project maintain or provide gainful employment for the people of Delaware, maintain or increase the tax base of Delaware's economy and maintain, diversify, or expand business and industry in Delaware:

Legal Name of Applicant		Delaware Business License & Type		Tax I.D. or SS# for an Individual Request			
D/B/A (if applicable)		Date Business Established (mm/yyyy) /		NAICS Code ¹			
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> S-Corp	<input type="checkbox"/> C-Corp	<input type="checkbox"/> LLC	<input type="checkbox"/> 501c-3	<input type="checkbox"/> Individual Business Request
Applicant's Billing Address						Business Phone # () -	
Applicant's Street Address (if different)						Applicant's Fax # () -	
Brief Business Description						State of Incorporation	
Primary Project Contact & Phone Number			Title		Amount of Financing Requested \$		
Project Sites:		Delaware Senate District		Delaware House of Representative District ²			
Number of Permanent Delaware-Based Full-time Jobs <i>at the Project Site</i> and Estimated Wages (Note: this data is required even if the jobs are do not belong to the actual applicant)							
On Present Site	To Be Maintained at the New Site	To Be Created at the New Site, if applicable	To Be Relocated into Delaware at the New Site, if applicable		TOTAL		
Average Wage for Jobs Above	Average Wage for Jobs Above	Average Wage for Jobs Above	Average Wage for Jobs Above		Average Wage for Jobs Above		

¹ A North American Industry Classification System (NAICS) Code is a 6 digit number assigned to your business by the Delaware Department of Labor. NAICS Codes replaced SIC codes. A NAICS code is also referred to as the Principal Business Activity or Principal Product or Service code on your federal income tax return.

² This information can be found on the General Assembly's website: <http://www.legis.state.de.us/Legislature.nsf/?OpenDatabase>

Management & Ownership

(Show 100% ownership. If more space is necessary, ignore here and attach a complete list formatted like below as "Exhibit: Management & Ownership – 1")

Name	SS# or Tax ID#	% Ownership	Address (if different from applicants)
		%	
		%	
		%	
		%	
		%	

Will the Project Site be occupied or used by an entity other than the actual applicant?

If "No", please describe here the nature of the relationship that does or will exist between the applicant and the occupant(s). For example, if the applicant is a real estate holding company and the occupant of the project site is an affiliated operating corporation, briefly describe the relationship, including common ownership if applicable, between the applicant and the occupant.

☐ Yes ☐ No

Has the applicant or any person listed above:

- ☐ Yes ☐ No Been the subject of, or a party to, any formal or informal inspection, inquiry, investigation, administrative proceeding, criminal prosecution or civil litigation by any federal or state agency administering, or private person seeking relief under, state or federal statutes, regulations or rules governing collective bargaining, hours of labor, working conditions, industrial hygiene and safety, minimum wage standards, discrimination in wages, child labor, unemployment insurance, workers' compensation or other labor law matters?
- ☐ Yes ☐ No Been the subject of or a party to any formal or informal inspection, inquiry, investigation, administrative proceedings, criminal prosecution or civil litigation by any federal or state agency administering, or private person seeking relief under, state or federal environmental statutes or regulations?
- ☐ Yes ☐ No Been the subject of, or a party to, any formal or informal inspection, inquiry, investigation, administrative proceeding, criminal prosecution or civil litigation by any state or federal law enforcement, regulatory or administrative agency for the criminal or civil violation of any federal or state statute, regulation, rule or the terms of any license or permit issued by a federal or state agency, including the failure to hold such a license or permit?
- ☐ Yes ☐ No Been the defendant in any civil litigation in which any type of fraud, misrepresentation, unfair or deceptive trade practices were alleged?
- ☐ Yes ☐ No Been debarred or suspended from contracting with any state or federal agency or from receiving financial assistance from any state or federal agency?
- ☐ Yes ☐ No Been denied any license or permit or had any license or permit revoked or suspended by any federal, state or local agency or governmental body?
- ☐ Yes ☐ No Been convicted of a crime?
- ☐ Yes ☐ No Filed a voluntary petition in bankruptcy or had an involuntary petition in bankruptcy filed against the Applicant, in any bankruptcy court, or been subject to any other state or federal insolvency or receivership proceedings?
- If the answer to any question above is "yes," furnish details on a separate page and attach as: "Exhibit: Management & Ownership – 2"

Outsourced Management Information

Name of accountant	Name of accountants' firm	Address	Telephone () -
Name of legal counsel	Name of legal counsel's firm	Address	Telephone () -
Other applicable consultant	Name of firm	Address	Telephone () -

Project Information

A. Project Location

Address (if the site's address not yet available, provide another form of geographic location information)

Will there be any changes in ownership of the business or the property in the next 36 months?

☐ Yes

☐ No

If "yes", describe briefly here:

B. Project Site

Indicate the approximate size and unit of measure:

☐ acres or ☐ square feet

Is the applicant the present owner?

☐ Yes

☐ No

C. Project Costs

Environmental Consulting Fees*: \$ _____

Site Investigation Costs* (e.g. sampling, lab analysis, etc.): \$ _____

Site Remediation Costs: \$ _____

Total Assessment and/or Remediation Cost: \$ _____

* Provide a breakdown of these fees and costs on a separate page. Attach as "Exhibit: Project Costs"

D. Legal Representations

Have all approvals and permits from all government agencies necessary for the project been obtained?

☐ Yes

☐ No

If no, please list all approvals and permits that have not been obtained and indicate when it is anticipated that that will be obtained.

Use a separate page and attach as "Exhibit: Project Information – 1".

Does the project comply with all applicable federal, state, and local laws or ordinances?

☐ Yes

☐ No

If no, please explain and attach as "Exhibit: Project Information – 2"

Has the actual applicant or proposed occupant(s) of the site received financial support from the Delaware Economic Development Authority in the past?

☐ Yes

☐ No

If yes, please state the date and nature of support here:

Certifications and Notarization to Applicants

CERTIFICATION -- Eligibility for financial assistance from the Delaware Economic Development Authority is determined by the information presented in this application and in the required exhibits and attachments. Any change in the status of the proposed project from the facts presented herein could disqualify the project, including but not limited to, the commencement of construction or the acquisition of assets such as land or equipment. Please contact the staff of the Authority before taking any action which would change the status of the project as reported herein.

To the extent permitted by Delaware's Freedom of Information Act, all information contained in this application or obtained by the Authority in investigating or considering this application will be kept confidential, except for disclosure to the Council, to the staff and attorneys of the Authority and DEDO, and except for disclosures made at the public hearing of the Council and in any published notice of such hearing. If a loan is made for your project, confidentiality may also be affected by any information reporting and other requirements imposed on the Authority by the Internal Revenue Code.

I, the undersigned, being duly sworn upon my oath say:

1. The Applicant as listed in section 1-A is the recipient of the funds.
2. The Applicant hereby agrees, if this application is approved, to comply with all federal, state, and local laws affecting the grant to be issued and the operation of the proposed project. As part of this agreement, the Applicant agrees to use its best efforts in good faith to meet all employment projections set forth herein and to give the first opportunity of employment to qualified Delaware residents for all unskilled and semi-skilled workers employed by the applicant. The Applicant agrees to report to the Authority, no later than August 31 of the year following the start of its operation of the project, the total number of its unskilled and semi-skilled employees and the number of its unskilled and semi-skilled employees who were residents of Delaware at the time of their employment.
3. The Applicant hereby acknowledges and agrees that the Authority reserves the right to and may disclose any information contained in this application and its supporting documents to the Council on Development Finance (CDF), to the staff and attorneys of the Authority and the DEDO, at any public hearing held on this application by the CDF, in any published notice of such hearing, and that this application is subject to the Delaware Freedom of Information Act.
4. The Applicant hereby agrees that any officers, employees, agents or attorneys of the Authority or the Delaware Economic Development Office ("DEDO") may have access to and copy any and all information in any form pertaining to Applicant, including, but not limited to, tax returns and information from tax returns as used in 30 Del. C. § 368, in the custody of any State of Delaware, or other State, department, agency, instrumentality, division, office, board, bureau, council, commission, committee, panel or "public body," as that term is defined in the Delaware Freedom of Information Act, 29 Del. C. § 10002(a), including, but not limited to, the Departments of Finance, State, Labor, and Natural Resources and Environmental Control of the State of Delaware, the United States Environmental Protection Agency, the United States Department of Labor, the National Labor Relations Board or any other agency of the federal government having custody of information deemed pertinent by DEDO or the Authority staff or attorneys in evaluating Applicant's application for assistance.
5. This application, with all attachments & exhibits, is the product of diligent and reasonable investigation that I have either overseen or been personally involved.
6. I have carefully read this application, including all attachments and exhibits, and the information contained in this application, including all attachments and exhibits, is true, accurate and complete to the best of my information and belief.
7. I am a "high managerial agent" of the Applicant, as defined in Del. C. § 284(b), and I am acting within the scope of my employment and in behalf of the Applicant.
8. I understand that if I have intentionally made a false statement in this application, or someone else has made a false statement herein that I know or believe to be false, I am subject to criminal prosecution. Further, the Authority, at its option, may terminate its financial assistance.
9. I understand the Authority may also require the following:
 - A. Appraisals on real property and/or machinery and equipment.
(Appraisers acceptable to the Authority).
 - B. An environmental analysis - Phase I.
 - C. Accounts receivable aging.
 - D. Accounts payable aging.
 - E. Bank loan exception letters.
 - F. Financial information to be prepared by a CPA acceptable to the Authority.
 - G. Additional information as determined by Authority staff.

Name of Applicant _____

Signature of Applicant _____

Title _____

Date Signed _____
/ /

Notary Information

State of _____

County of _____

Signed and sworn to (or affirmed) before me on: / / 20____ by _____

(Representative of Applicant, not Notary)

[SEAL]

(Name of Notary Public)

My Commission Expires: _____

EXHIBITS REQUIRED

This application will not be considered complete unless the following items are submitted with the application form.

A. "If yes" or "If Necessary" exhibits from application:

- | | | |
|-----------------------------------|-----------------------------|-------------------------------------|
| <input type="checkbox"/> Attached | <input type="checkbox"/> NA | Exhibit: Management & Ownership – 1 |
| <input type="checkbox"/> Attached | <input type="checkbox"/> NA | Exhibit: Management & Ownership – 2 |
| <input type="checkbox"/> Attached | <input type="checkbox"/> NA | Exhibit: Project Information – 1 |
| <input type="checkbox"/> Attached | <input type="checkbox"/> NA | Exhibit: Project Information – 2 |

B. Legal Documents:

- | | | |
|-----------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Attached | <input type="checkbox"/> In Process | An original Certificate of Good Standing issued by the Division of Corporations of the Delaware Secretary of State's office within the thirty-day period before the date of the application |
| <input type="checkbox"/> Attached | <input type="checkbox"/> In Process | A copy of the business license issued by the Division of Revenue of the Delaware Department of Finance. |
| <input type="checkbox"/> Attached | <input type="checkbox"/> In Process | A copy of the Brownfield certification provided by the Department of Natural Resources and Environmental Control ("DNREC"). |

* Certificate of Good Standing is not available for sole proprietorships or some general partnerships, but is for all other entities.

C. Financial Information*:

- | | | |
|-----------------------------------|---------------------------------|---|
| <input type="checkbox"/> Attached | <input type="checkbox"/> Waived | Three most recent years of financial statements and as much of the current year as is available, (but not more than three months old). Include as "Exhibit: Financial Statements" |
| Or | | |
| <input type="checkbox"/> Attached | <input type="checkbox"/> Waived | Three most recent years of tax returns. Include as "Exhibit: Tax Returns" |
| <input type="checkbox"/> Attached | <input type="checkbox"/> Waived | Exhibit: Project Costs |

* All "Financial Information" exhibits are required unless waived by your DEDO representative. If waived, then check "NA"

* If the actual applicant will not be the proposed occupant of the project site, provide financial statements of tax returns for the proposed occupant as well. If either entity is new or has with less than two years of financial statements, provide personal financial statements and tax returns of each principal (or the parent company) for the past three years.

D. Non-refundable application fee of \$250.